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CANADA, CAPITAL AND CORPORAL PUNISHMENT AND
LOTTERIES, JOINT COMMITTEE OF THE SENATE AND HOUSE
OF COMMONS ON, 1955

SECOND SESSION—TWENTY-SECOND PARLIAMENT
1955



Joint Committee of the Senate and the House of Commons

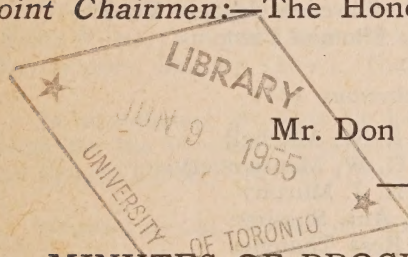
ON

CAPITAL AND CORPORAL PUNISHMENT AND LOTTERIES

Joint Chairmen:—The Honourable Senator Salter A. Hayden

and

Mr. Don F. Brown, M.P.



MINUTES OF PROCEEDINGS AND EVIDENCE

No. 18

WEDNESDAY, MAY 11, 1955

WITNESS:

Mr. Camille Branchaud (*Nom de plume*), Official Executioner, accompanied
by Mr. Leopold Guy Bertrand, Secretary and Special Officer, Sheriff's
Office, District of Montreal.

Appendix: Memorandum submitted to Official Executioner for Preparation
of his Evidence.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
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OTTAWA, 1955.

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Mr. Yves Leduc	Mr. H. E. Winch
Mr. A. R. Lusby	

A. Small,
Clerk of the Committee.

MINUTES OF PROCEEDINGS

WEDNESDAY, May 11, 1955.

The Joint Committee of the Senate and the House of Commons on Capital and Corporal Punishment and Lotteries met *in camera* in Room 277 of the House of Commons at 10.15 a.m. The Joint Chairman, the Honourable Senator Salter A. Hayden, presided. At 10.30 a.m., the Committee adjourned its sitting to meet beyond the precincts of both Houses of Parliament, as authorized by both Houses of Parliament, and proceeded by special transport to the Administration Building of the Royal Canadian Mounted Police ("N" Division).

The Committee commenced the hearing at 11.00 a.m.

Present:

The Senate: The Honourable Senators Aseltine, Fergusson, Hayden, Hodges, McDonald, and Tremblay.—(6).

The House of Commons: Miss Bennett, Messrs. Brown (*Brantford*), Brown (*Essex West*), Cameron (*High Park*), Fairey, Garson, Lusby, Mitchell (*London*), Montgomery, Shipley (*Mrs.*), Thatcher, Thomas, Valois and Winch.—(14).

In attendance: Mr. Camille Branchaud (*Nom de plume*), Official Executioner for the Province of Quebec, and Mr. Leopold Guy Bertrand, Secretary and Special Officer, Sheriff's Office, District of Montreal.

Counsel to the Committee: Mr. D. G. Blair.

Official Translator: Mr. Rosaire Barrette.

Committee Reporters: Messrs. J. R. Langlois, D. H. Coghill, and H. Huggins.

The witness, Mr. Branchaud, and Mr. Bertrand were called.

Due to Mr. Branchaud's limited knowledge of the English language, on his behalf Mr. Bertrand read his statement in reply to a questionnaire (*See Appendix*) submitted to him earlier by the Committee dealing with the methods of hanging. The witness, through Mr. Bertrand and the Official Translator, Mr. Barrette, was questioned thereon by the Committee.

The witness and Mr. Bertrand retired.

The Committee agreed that today's evidence taken *in camera* be printed *in extenso* in its proceedings and that the Joint Chairmen issue a press release summarizing the main topics of the evidence received.

At 12.55 p.m., the Committee returned to the Parliament Buildings and adjourned to meet again as scheduled.

A. SMALL,
Clerk of the Committee.

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EVIDENCE

May 11, 1955.

Note:—The procedure followed at this hearing was as follows: A statement in reply to a questionnaire (See Appendix) was read in English by Mr. Bertrand for the witness, Mr. Branchaud. Questions were addressed to the witness in English, translated to him in French, the witness answered in French, and translated to the Committee in English. A transcript of the exchanges in French is available and will be adapted to the French version of this issue of the proceedings. For the sake of conciseness and readability, the following evidence is printed entirely in English.

The PRESIDING CHAIRMAN (Hon. Mr. Hayden): Ladies and gentlemen, I am now calling the meeting to order. You know the purpose of this meeting today and the procedure to be followed. A questionnaire (See Appendix) has been prepared and submitted to the witness and certain notes in answer to the questions have been prepared and I believe the witness' manager (Mr. Bertrand) is going to read the answers.

Mr. Camille Branchaud called with Mr. L. Bertrand:

Mr. L. BERTRAND: Mr. Chairman, ladies and gentlemen, before we begin it must be understood that the ideas expressed as well as the answers before this committee must in no way be interpreted as reflecting the opinion of the Attorney-General of the Province of Quebec or the sheriff's office of the district of Montreal but are only the personal opinion of Mr. Camille Branchaud, public executioner.

Mr. BLAIR: If I may say for the record the name Camille Branchaud is a *nom de plume*. Perhaps I should also say the gentleman speaking is Mr. L. Bertrand, secretary of the sheriff's office, Montreal.

How long have you known the public executioner?

Mr. BERTRAND: 16 years.

Mr. BLAIR: And you function in relation to him as his contact with the officials of the various provinces?

Mr. BERTRAND: In all contacts throughout Canada.

Mr. BLAIR: And in preparing this statement you have collaborated with Mr. Branchaud, and what you say is with his full authority?

Mr. BERTRAND: Yes, sir.

There may be slight changes so I would ask the indulgence of the members of the committee. We were called on at quite short notice.

Background. Mr. Branchaud has been in his present occupation unofficially since 1929 and was appointed official executioner for the province of Quebec on August 1, 1934, the time at which the contract of Mr. Ellis was not renewed by the Attorney-General's Department.

Mr. Branchaud was trained and made an apprentice with the late Mr. Ellis. Mr. Branchaud has officiated at over 200 executions since he has been on duty. He is employed by the province of Quebec on a yearly basis,

execution or no execution. Each of the other province's rates are equal throughout Canada with the exception of the Northwest Territories and the Yukon Territory. Travelling and other expenses are charged to the province where the execution takes place.

Mr. BLAIR: He is paid a fee for each execution by the other provinces?

Mr. BERTRAND: Yes, sir.

Mr. FAIREY: In addition to his annual salary?

Mr. BERTRAND: From Quebec only. One assistant is employed presently and trained to succeed Mr. Branchaud but this assistant does not accompany him outside the province.

Facilities. Gallows are not always built in the institution because in some provinces executions are not centralized and must take place in the same district where the trial took place or where the crime was committed. In Quebec they are centralized; in Saskatchewan, unknown; Manitoba, centralized in Winnipeg; Nova Scotia, unknown; Ontario, districts; Alberta, centralized in Lethbridge and Edmonton; British Columbia, centralized at New Westminster; Newfoundland, centralized; Prince Edward Island, unknown; New Brunswick, every district.

When gallows are not built in the institutions, Mr. Branchaud arrives a few days before the execution to supervise the erection of gallows according to his own specifications. Two or three carpenters are at his disposal. Most gallows are of standard type and some of them are typical as being built in an elevator shaft and others outside the cell door as in Quebec; but in most cases as near as possible to the death cell.

The mention of the platform, mechanism, attachment of rope and length of drop are questions of a confidential nature to Mr. Branchaud and he does not wish to answer any questions pertaining to those questions. Gallows are generally built inside the prison and when not are built in the yard of the prison nearest to the death cell. Gallows built within the prison walls are more convenient than in the prison yards.

Gallows are never visible to the condemned and are situated in such a part of the prison that other prisoners cannot see the execution. Gallows are never visible to the general public. When gallows are especially built in yards with walls not too high only the top of the gallows can be seen from outside and in most instances the contractor is required to furnish large tarpaulins thus prohibiting any visibility. The cell is situated as near as possible to the gallows but is in most cases a special type of cell except in small districts where the ordinary cell is used for the execution facilities. Gallows built within the prison are more convenient than any other because the execution can take place in any weather conditions and the gallows are not exposed to corrosion and rust during some seasons.

The best type of arrangements of the condemned's cell in relation to gallows, is when the said cell is situated as near as possible to the gallows; such cities as New Westminster, Winnipeg and Toronto have gallows built within the prison. When gallows are built upon the building in iron they are exposed to weather conditions as I previously stated. The worst type of arrangements in Canada are in the provinces where gallows are to be built and are a point of curiosity during the erection both by the employees and the prisoners such as in Ontario and New Brunswick where gallows are built in every district where the trial took place.

Preliminary. When gallows are already built the executioner usually arrives at the requested destination one full day before the execution.

The PRESIDING CHAIRMAN: Would you speak just a little more slowly please.

Mr. BERTRAND: Thank you very much. It will give me time to look over some of the corrections I have made.

Mr. BROWN (*Essex West*): Could you let the reporter have your notes afterwards?

Mr. BERTRAND: I am afraid not. We made some changes at the last minute yesterday.

I will start at "*Preliminary.*" When gallows are already built the executioner usually arrives at the requested destination one full day before the execution. But if gallows are to be built he arrives three or more days before to supervise the erection of the scaffold. When suggested by the sheriff the executioner resides in special quarters assigned to him within the prison walls, but in most provinces he prefers to have his own hotel accommodation and privacy. But all arrangements with respect to such accommodation are made in advance by the sheriff.

Equipment is not always tested in advance for an execution, but when gallows have not been used for some years the mechanism is rechecked before execution. The executioner never sees a condemned prior to the execution. Adjustments are made according to the report of the weight, height and age, submitted by the prison governor or the sheriff to the executioner. A table known to Mr. Branchaud only is used to govern these adjustments. Mr. Branchaud regrets but he cannot present such a table to the committee. The executioner ties the knot and the knot is tied in a special way with five rings thus allowing an end to slip in between the rings. The rope is coiled and attached to an upper beam with a string of ordinary type and vaseline is inserted between the rings to assure smoothness.

Procedure in the condemned cell. Mr. Chairman, before we continue you may excuse us if we sometimes repeat. As I told you before we had to prepare this on very short notice.

The PRESIDING CHAIRMAN: That is fine.

Mr. BERTRAND: Some of the answers may repeat themselves later on.

On a special signal known only to himself, the executioner enters the cell accompanied by the sheriff, the warden, the physician, the chaplain of the faith in which the condemned had belief. In certain provinces religious ceremonies precede the execution according to the condemned's wish. When religious ceremony is performed the executioner enters the cell only a few minutes before the end of such a ceremony and when the cell is adjoining to the gallows the hands are tied behind the back at once by the executioner. The executioner makes it a point to take as little time as possible to avoid moral and mental anguish on the part of the condemned. Immediately after the hands are tied the condemned accompanied by his chaplain is led to the gallows where his feet are tied, the black cap is adjusted, and the rope is set at a certain point of the neck. Then the trap is sprung. Hands are always tied in the cell. The condemned is taken to the gallows by the executioner on one side and his chaplain on the other. Others follow at a respectable distance. The walk varies in most Canadian institutions; but, in most places is very short. The longest time for the walk is taken when the gallows are built within a prison yard.

When the execution takes place on a gallows adjoining to the cell the average time is between 38 seconds to 1 minute. If it takes place in a prison yard where gallows have been built it may vary between 3 and 4 minutes. As aforementioned the death cell is always situated where none of those attending the execution must pass the other cells or be observed by other prisoners.

Procedure on gallows. When the condemned reaches the gallows his feet are tied and during that time his chaplain converses in prayer with him. The legs are tied by the executioner. The executioner also adjusts a cap over the head and puts a noose around the neck.

The noose is fitted in such a part of the neck in order to avoid strangulation but to assure the immediate break of the spinal vertebrae at the base of the neck. Only the officials are present when the executions are centralized, but where executions take place in various districts of some provinces sometimes too many are invited for mere curiosity. The officials stand at a reasonable distance from the gallows but two officers appointed by the warden or the sheriff are near the executioner in case of emergencies. The chaplain is always the nearest to the condemned followed by the physician, the sheriff and the warden. Only the executioner pulls the lever. When the executioner is called in the cell of the condemned he is fully in charge of all operations and no one must stand in his way for any reason or other so no signal is necessary to him prior to pulling the lever.

The length of time between the arrival on the gallows and the pulling of the lever is never more than one minute except in double executions, that is back to back.

The attitude of the condemned. The condemned is always cooperative and no force is necessary, thanks to the minister of the cult to which the condemned prisoner belonged. Although the condemned is in full possession of his faculties he appears to have passed to another world unknown to us living because he is fully aware that he must part from this world.

The executioner's comments on the attitude of the condemned as he approaches the gallows are the same as afore-mentioned, but physically speaking the condemned has weakened slightly and sometimes appears to be in a semi-conscious state. For example, before the cap is applied he may be staring at a certain point and the reflection in his eyes denotes that he has already left the ones with whom he was surrounded minutes before.

Action after springing of trap:

After the trap is sprung, the jurors together with the coroner are in the lower chamber. The executioner usually enters the lower chamber first to verify if the drop was satisfactory. The physician follows immediately after the executioner. Only the officials already named enter the lower chamber besides the jurors and the coroner. The physician and the coroner always stay by the body until death is pronounced.

Every five minutes, and at shorter intervals afterwards, both apply the stethoscope to the body and feel the pulse.

In Quebec the members of the jury are selected from hospitals and are doctors. In other provinces the procedure varies. If another doctor is present in the lower chamber, the coroner invites him to verify the death.

The rope is cut when the coroner and the attending physician pronounce the condemned as dead, and give a sign to the executioner who then, using a step ladder cuts the rope.

The average time for Canadian executions varies according to the condition of the gallows in each province; but in most instances it is from twelve to fifteen minutes. The shortest was ten minutes and the longest was twenty-two; and these figures are as accurate as possible. Some time may vary according to the physical condition of the condemned.

Mr. BLAIR: That is to say, the time between the drop and when he is pronounced dead?

Mr. BERTRAND: Yes, the pulse reading. The usual cause of death in ninety-five to ninety-eight per cent of cases is fracture of the spinal vertebra at the base of the neck. After the trap is sprung the nerves of the body may react, but only for less than one minute. No twitchings are observed in the limbs. There are never signs of consciousness.

In most cases the body is limp because, upon the fall the spinal vertebra is broken.

No accidents have occurred in the course of the duties of the executioner. Other accidents have occurred in other provinces, but they were caused by another executioner who had taken the *nom de plume* of my predecessor. The cause of such accidents was too much testing with a sand bag, and no table variations, according to the weight, height, and age of the condemned.

The executioner was not present, when an execution with decapitation occurred in 1933 or 1934. Another decapitation happened on the west coast, but he did not perform the execution. The executioner has never observed an execution where he had reason to believe that death was not produced instantaneously.

His late predecessor was compelled to re-hang a condemned on whom he had not placed the noose properly, but he was not present.

After the body is cut down, the prisoner is placed on a stretcher, and the executioner removes the black cap and straps, both at the hands and feet. From then on the coroner and the attending physician take over, and the executioner returns to his quarters discreetly.

Multiple executions:

The executioner has officiated at nine double executions since he is on active duty. Never more than two persons are executed at the same time. The same procedure is followed in multiple executions as in a single one. The procedure varies according to the distance of the cells to the gallows. In the case of multiple executions, the two condemned are hanged simultaneously back to back.

In Quebec an assistant is present at multiple executions, but in other provinces his presence is not necessary.

General

Executions since 1942 are always carried out shortly after midnight of the day the condemned is to be executed. Prior to that year, executions were carried out in the early morning shortly after six or seven o'clock. The time of the execution may vary from one half to one full hour in some provinces.

The executioner does not wear gloves or special clothing at the execution. In his opinion he thinks that the method of hanging is the quickest, if performed the proper way.

Hon. Mr. McDONALD: What about the loss of consciousness?

THE PRESIDING CHAIRMAN: The question was by your using the word "quickest" whether you meant unconscious.

Mr. BERTRAND: That is what he meant. I think we said before, that as soon as the drop occurred, there is a state of complete unconsciousness.

The executioner cannot give his views on other methods of execution because he has never assisted at other executions performed in other forms than hanging.

Comments on the conduct of officials at executions.

Sometimes there is lack of dignity, where executions are not centralized. When so, the same officials attend and no other invitations are tendered to curious friends who request, from the officials in small districts, permission to attend the execution.

Mr. THATCHER: Would you mind reading that again, please.

Mr. BERTRAND: I said that when the same officials attend no other invitations are tendered to curious friends who request from officials of small districts permission to attend the execution.

Mr. BLAIR: When executions are centralized you do not have a curious public invited by invitation.

Mr. BERTRAND: That is right.

Mr. THATCHER: But you do in other cases?

The PRESIDING CHAIRMAN: You mean?

Mr. BERTRAND: When they are not centralized.

The PRESIDING CHAIRMAN: You mean other than the official party.

Mr. BERTRAND: Surely; and only one execution may happen in a certain town for maybe twenty to thirty years. Generally speaking, the reaction of the officials at an execution is of extreme nervousness rising gradually until the time of the execution.

As aforementioned, dignity is given to the execution by having all the executions of one province centralized thus avoiding unnecessary publicity in small town newspapers, in the town where the execution takes place. Moreover, the population of such a town, knowing that an execution is to be performed on that day, the surroundings of the jail where the execution is to take place is generally a place of gathering for curious gossipers, many hours before the time set for the execution, and in most cases additional guards are necessary to keep them from the surroundings.

In conclusion may I comment—I am speaking for Mr. Branchaud, always—on the efficiency of centralizing executions in one city for each province. In doing so, respect for the man who is about to pay a debt to society would be more in order.

Mr. Chairman, under “comments” requested from Mr. Branchaud—there is a paragraph here which goes back to certain testimony which happened before the committee last year. Do you object if I read this one?

The PRESIDING CHAIRMAN: No.

Mr. BERTRAND: The executioner deeply deplores the fact that some of the sheriffs who have appeared before this committee had only witnessed one or two executions, and that their testimony was most unfavourable to himself and his position. Their experience in that field was very small in comparison to the sheriffs of British Columbia and of Quebec who have attended at least between fifteen to thirty-five executions, and also where the executions are centralized.

The executioner also deplores the fact that some of the testimony was wrongly explained to the public by the newspapers, thus creating a certain reaction in the population against capital punishment in the form of hanging.

It has also been said that Mr. Branchaud was charging a fee of \$500 for every execution in each province. This is false. The rates can be produced if the committee so wishes.

It has also been said that an execution took place which lasted forty-five minutes. According to Mr. Branchaud, one who was present, they let the body hang for forty-five minutes, but they were not present all the time after the execution. So, in one of the other paragraphs I have stated that the longest execution was twenty-two minutes.

The PRESIDING CHAIRMAN: You mean the medical officer or the coroner whose duty it was to determine whether death had occurred was not there all the time, and that accounts for the length of time the body was hanging?

Mr. BERTRAND: Yes, sir.

Mr. Blair submitted another small questionnaire supplementary to this one (*See Appendix*) and I have prepared about ten answers.

The PRESIDING CHAIRMAN: At this point, is there any comment with respect to the conduct, the dignity, or the complete capacity of those officially attending?

Mr. BERTRAND: I skipped it. I am sorry. There is a paragraph which I did not read, Mr. Chairman; so, with your permission I shall do so.

Also, before the execution, the officials should refrain from using intoxicating liquor of any kind, because it happened in some instances that the attending physician or coroner could hardly apply his stethoscope to the body of the condemned, and the body was left balancing on the rope much too long than was necessary, and such mistake was imputed to the executioner.

Supplementary:

Preliminary to the ceremony, the rope, the wrist straps, the ankle straps, and the hood or black cape are supplied by the executioner and no other equipment is required.

The public executioner makes allowance for the age and physical condition, particularly the strength of the muscles, as well as for the weight of the condemned. A table which is known to him is used, and needless to say, his judgment cannot be used by others. Although experience counts, any execution is always given the same conscientious consideration.

In the case of double executions, the condemned cannot be strapped together, and they are always sprung back to back because the weight of one may vary from that of the other. Therefore they must be executed at the same springing of the gallows, but separated one from the other.

It is not always customary for the condemned to be supplied with sedatives but if such a practice has been done, the executioner is usually informed. The executioner has no personal views in respect to this practice.

Condemned very seldom faint, but should such a condition as partial unconsciousness arise, two guards hold a broom stick under the arms of the condemned, and at the signal of the executioner, simultaneously with him the guards let go of the broom stick when the trap is sprung. No special problems arise when women are executed because such executions are very scarce. However, the ankle straps are placed over the long dress at the height of the knees to avoid the dress coming up when the drop occurs.

The executioner has never had difficulty with crowds gathered outside prisons because he is unknown to them and furthermore he arrives at the prison at a much earlier time than those gathering. After they disperse quietly. Only once was the noise audible within the institution during an execution. The executioner has never been bothered by crowds or the public in general prior to or after an execution. Upon arrival at a small town where an execution is to be performed a certain tension seems to appear on the faces of the public and the air seems to be saturated with that same tension.

As already said, all executions should be centralized in each province.

Mr. Chairman, this completes the notes which have been prepared this morning to the questions of Mr. Blair.

The PRESIDING CHAIRMAN: I understand the procedure in connection with any questions which may be asked is this, that if the questions are asked in English you will translate them to the witness and will also repeat the answers.

Mr. BERTRAND: In English.

The PRESIDING CHAIRMAN: In English to the members of the committee.

Mr. Garson, have you any questions? Mr. Cameron?

Mr. CAMERON (*High Park*): There is just one question which occurred to me and that is you mentioned the percentage of 95 to 98 of the executions which took place without incident. Would the witness tell us about the other incidents he has in mind which will reduce the percentage below 100?

Mr. BERTRAND: What he meant was 95 or 98 per cent was caused by the breaking of the spinal vertebrae at the base of the neck but the other percentage was strangulation which is different.

Mr. CAMERON (*High Park*): I am trying to phrase the next question in my mind. It is with respect to the use of the word "strangulation". Does that mean that the death was as a result of the pressure on the carotid arteries and unconsciousness was instantaneous or almost instantaneous?

Mr. BERTRAND: Do you mean instantly?

Mr. CAMERON (*High Park*): By strangulation, do you mean the cause of death was pressure on the carotid arteries which is what is known as cerebral anemia or loss of blood to the heart?

Mr. BERTRAND: I am afraid this is a little beyond us. This is more medical than pertaining to the execution.

The PRESIDING CHAIRMAN: What Mr. Cameron was getting at is the difference between death in 95 and 98 per cent of the cases as by fracture of the spinal vertebrae and the other cases where you say it is by strangulation. In other words, what is the difference?

Mr. BERTRAND: Sometimes it has happened in the past that a prisoner was weighed when he entered the jail and when the execution was performed they used the same weight. He could have gained weight in between that time and then the break of the spinal vertebrae could not occur.

Mr. BROWN (*Essex West*): I think we are getting into a poor practice here. I think we are here to hear what Mr. Branchaud has to say. With all respect, I think we should get our answers directly from him.

Mr. CAMERON (*High Park*): I have a final question. In this percentage of the cases where the death did not ensue as a result of fracture of the spinal cord is the evidence that in that percentage of cases the spinal cord was not fractured? Is that the inference?

Translation by Mr. J. R. Barrette (Interpreter):

A. It is caused entirely by the rope. It depends on the time. It is like an acrobat; he may be strangled, yet the spinal vertebrae are not broken. It happens very seldom.

Mr. BROWN (*Essex West*): I understand you, Mr. Bertrand, are the interpreter. Mr. Barrette is here to advise us. When you ask the witness in French he will answer you in French and you will interpret to us in English.

The PRESIDING CHAIRMAN: Was the last answer an exact translation?

Mr. BERTRAND: Exactly the same. As an acrobat . . .

By Mr. Brown (Brantford):

(Questions answered by Mr. Branchaud through Mr. Bertrand as interpreter.)

Q. When death is by strangulation, does it take longer for the condemned to lose consciousness?—A. When there is a breakage of the spinal vertebrae, the body is totally limp and when there is no breakage of the spinal vertebrae it does not take any more time according to Mr. Branchaud's observations.

Q. In cases of double hangings, has death been instantaneous to each condemned person just as if it were a single hanging?—A. The weight may vary, but the death is instantaneous in both cases because the trap is sprung for both together.

By Mr. Valois:

Q. If he is heavier?—A. If it is a man, at least 4 feet; if it is a woman, at least 1 foot. We arrange the drop approximately.

Q. Is death simultaneous?—A. Death is simultaneous.

Q. In falling?—A. Because there is the drop according to the man. If you take a man 60 years old and a 24 year old man, it is not the same drop.

By Mr. Cameron:

Q. I have one more question, Mr. Chairman. Does the executioner believe that double hangings ought to be abolished?—A. For me it is the same thing. One or two; it does not make any difference. It is only half a minute more on the gallows.

By Mr. Thatcher:

(Questions answered by Mr. Branchaud through Mr. Bertrand as interpreter.)

Q. The witness mentioned that on occasion there had been intoxication of some of the officials. I wonder if he would enlarge somewhat on that and tell us how general that is or how often it happens?—A. It has occurred often. It happens from time to time, especially with the doctor and the coroner. When they have too much to drink, they don't know whether the heart is beating or not.

Q. Do you feel that these officials take liquor before the proceedings because they feel it is so horrible?—A. Sometimes they arrive at the destination at 12.00 midnight already intoxicated. Then they take a bit more before the execution. This deafens their ears so they cannot hear the heartbeats.

MR. BROWN (*Essex West*): That is not answering the question. He asked him if he felt it was because they thought it was a horrible affair.

MR. THATCHER: Did they feel it was so horrible that they did not like to be there and that they got drunk first?

HON. MRS. FERGUSON: The witness does not know what they feel.

THE WITNESS: When they are too intoxicated, they can't do a thing with the stethoscope.

MR. BERTRAND: Mr. Branchaud cannot tell us the feelings of the other persons.

By Mr. Thatcher:

Q. Does he report that condition to anyone after the execution?—A. No. When the executioner leaves a place of execution everything stays within the walls of the prison.

Q. I was surprised at one other statement where Mr. Branchaud stated in some of the smaller towns there were people who attended the executions more or less out of curiosity having been given passes by some of the officials. Would he enlarge on that statement? To what extent and how often does that happen?—A. Not too often, but fairly often. Is that satisfactory?

Q. Yes. We had certain medical evidence, if I understand it correctly, that if the first five vertebrae are snapped the person loses consciousness immediately but if the sixth or seventh are severed that he may strangle. Is there any way that the hangman can adjust the rope to snap one of the first five vertebrae?

Mr. VALOIS: Mr. Chairman, I think it might be better procedure to let the stenographer translate the questions because he has it in writing in English before him.

The REPORTER (*Mr. Langlois*): I had not taken it in English before but I will from now on and read it in French.

(Previous question asked by Mr. Thatcher read by English reporter).

The PRESIDING CHAIRMAN: It seems to be confusing the question by putting in it reference to medical evidence. What was meant by the question I believe is this: "Does the hangman, when he is adjusting the rope, adjust it so that he may produce a fracture in any one or more of the first five vertebrae?"

Mr. THATCHER: Yes.

The PRESIDING CHAIRMAN: Let us get the answer directly to the question.

The WITNESS: We always put the noose underneath the left ear so that the string of the heart is broken, or the nerve to the heart is broken.

The PRESIDING CHAIRMAN: Let us not get too far into the question of medical evidence.

Mr. BERTRAND: We are outside our scope; this is more medical.

By Mr. Winch:

Q. You mentioned twice that the noose is placed so as to cause a break at the base of the neck. That was your own terminology. What do you mean by the "base of the neck"?—A. I meant the beginning of the vertebrae.

Q. Of the neck?—A. Surely.

Q. That could mean lower down the vertebrae.

The PRESIDING CHAIRMAN: From the first to the seventh vertebrae. I think we have got as far as we can with the medical phase of this.

Mr. THATCHER: I am still not clear on this. If I understand the witness correctly, no special effort is made to snap any particular one of the seven vertebrae. I think that is important and I would like to have an answer to it.

Mr. BROWN (*Essex West*): Ask him if he knows.

Hon. Mr. GARSON: I think, with respect, that the point turns on what Mr. Winch has raised: what is meant by the base of the neck? Is the base where the neck joins on the skull, or is it the point where the neck joins on the shoulder?

Hon. Mr. TREMBLAY: I think the witness said it was between the third and the fifth vertebrae.

Mr. BERTRAND: No.

The PRESIDING CHAIRMAN: Let us get it in order. Are you satisfied, Mr. Thatcher?

Mr. THATCHER: No, I am not.

The PRESIDING CHAIRMAN: Are you satisfied to have Senator Tremblay attempt to deal with it?

Mr. THATCHER: Yes!

The PRESIDING CHAIRMAN: Very well. Will the reporter please read the question and the answer.

The REPORTER: (*Mr. Langlois*):

By the Hon. Mr. Tremblay: Q. Did the witness not say that generally after the fall the spinal vertebrae is not broken, in between the third and the fifth vertebrae generally?—A. Yes, that is generally what the doctors say, that it is the third or the fifth, yes; after you have the fall, it will break the neck and the nerves to the heart. You may have a person who wears a size sixteen collar, yet after the fall he takes only a size eight. It is for that reason that according to the weight we put on vaseline in order that the rope will slip easier.

The PRESIDING CHAIRMAN: Is that the whole answer?

The REPORTER (*Mr. Langlois*): No, there is still some more; and he repeats all that again.

Take a person who takes a size sixteen collar, and once the trap has been sprung and the rope tightened, he will take a size eight. That depends on the weight, and if you have an acrobat and his kidneys (body) are strong enough to support him, the spinal column will not break. If you take two men of the same weight it will depend if the spinal vertebrae will break in each. Let us say there are two men each weighing one hundred and forty-five lbs. Both of them will take four feet underneath the table, and when the trap is sprung, in one case the spinal cord may break, and in the other case it will just break his neck.

By Mr. Thatcher:

Q. I take it from the evidence—and I would like to be corrected if I am wrong—that there is no way the hangman can so adjust the rope to break any particular vertebrae, or any one of the seven. There is no special way he can adjust the rope to break any particular vertebrae.

Mr. BERTRAND: That is correct, sir.

Q. You stated in your evidence that you would have no objection, if the committee wished it, to giving us the rates for a hanging and having them put on the record. Did I understand you correctly in that?

By Mr. Bertrand:

A. Yes, sir, it would be a pleasure.

Q. Then I would like to have those rates put on the record if there is no objection.

Mr. BERTRAND: In the Yukon and the Northwest Territories the rates are \$400 per head, plus travelling expenses. Elsewhere throughout Canada, it is \$200, and when the execution is performed, \$100; but when the date has been retained and at the last minute commutation is granted—because all that time Mr. Branchaud is compelled to refuse other commitments, his fee is \$50 for each date retained, or should an appeal be granted. That is all; \$400, \$200, and \$100 and expenses.

By the Hon. Mr. Tremblay:

Q. (*Through the reporter, Mr. Langlois*): I want to ask the witness first of all: at what moment does the chaplain remain alone with the condemned for

the last time?—A. (*Through reporter, Mr. Langlois*): The first question was translated by Senator Tremblay: "At what moment does the chaplain remain alone with the condemned for the last time?" The answer was: "Ordinarily it depends on the different religions. He may go—that is, the chaplain may go ten or twelve hours and stay with the condemned, or he may go from time to time."

Then Senator Tremblay asked: "Does he stay continuously?" The answer was: "Ordinarily he will go during the eight last remaining hours, and he stays with the condemned. It depends on the religion. It is he who escorts the prisoner to the trap, and we may say that it is the chaplain, whatever the religion—that he always asks me for the information to tell him, for it is he who gives the prisoner the strength to walk straight to the gallows, and who instructs him on his past, and who instructs him to have enough strength to get him across, to give moral support to get to the other side:"—he means after death—"and he speaks to the prisoner and stays at his side, no matter what religion it is, to give the prisoner strength to walk straight to the gallows, and to make a man of himself."

"Q. At what moment, or at what time can the condemned, in the case of a Catholic attend Mass, or in other cases, any religious service?—A. Ordinarily that depends on the hour. In the province of Quebec Mass usually starts at midnight and lasts for about twenty-eight minutes. When Mass ends there is time for recollection for about six minutes, and then at thirty-five I give the signal, and it is then that we hang him."

"Q. Does he leave directly from the chapel?—A. He leaves the cell directly for the scaffold—it depends on the religion—ordinarily at fifteen after twelve, if it is the Salvation Army, or whatever religion. Unless we have regulations from the federal government, when it is daylight saving time, we have to wait until a quarter after one, instead of a quarter after midnight."

And Senator Tremblay then said he had one other question.

The PRESIDING CHAIRMAN: Yes. Now Senator Tremblay.

By Hon. Mr. Tremblay:

Q. I want to ask him whether the chaplain is admitted to the lower part of the gallows?—A. (*Through Reporter, Mr. Langlois*) "The answer was Yes, ordinarily when the trap has been sprung and the body is hanging, sometimes the chaplain will finish saying the prayers up above, whatever the religion, and sometimes he will go down below, or he will administer the last rites of the church while the doctor is examining the body."

Q. To determine death?—A. Yes. Sometimes the heart is dead, but the nerves are still agitating."

The PRESIDING CHAIRMAN: Now, Mr. Valois.

By Mr. Valois:

Q. There is one thing I would like to have cleared up in my mind. Is the loss of consciousness as rapid in the case of strangulation as it is when the vertebrae is snapped?

Mr. BERTRAND: I think so: We answered that question for Mr. Thatcher.

Q. Is there any case where the executioner feels justified in touching the body after the trap has been sprung?

The PRESIDING CHAIRMAN: Would you please translate that, Mr. Reporter?

The REPORTER (*Mr. Langlois*): You have a question: "After the trap is sprung, has the hangman felt the necessity of touching the body?" And Mr. Bertrand said: "It is not a question of necessity." And you said: "Is there any reason why the hangman has to go near and touch the rope?" And the answer was:

No, ordinarily when the trap has been sprung and the body is hanging I go down and remove the straps from the feet and the hands and open the shirt so that the doctor will be able to put his stethoscope on the chest. It is the only thing I ever had to do myself; for me, it is an execution.

The PRESIDING CHAIRMAN: Are there any other questions?

By Hon. Mrs. Hodges:

Q. I notice according to the questionnaire that preliminary adjustments are made for the weight and the size of the condemned and yet I understand at one point when somebody was questioning a discussion arose in connection with an instance where a man had gained weight when he was in prison and was not weighed again just before the execution. Is it not the practice to weigh them again before the execution?—A. Ordinarily the doctor and the jailer give me the weight and size of the neck, and the height. You know, give me the weight and the size of the neck and sometimes it is not always the same thing. Take a neck size 16 which is very fat and take a neck size 16 which is rather on the lean side; this latter one will wear size 16 but will not be the same as a size 16 which is very fat. It is more dangerous when you have a fat neck. Take for example a fellow who has been in jail for a year and has gained 50 pounds, during that year it is more dangerous as far as he is concerned because we call that milk fat.

Hon. Mrs. HODGES: That does not quite answer my question. My question merely arose out of a remark made.

The PRESIDING CHAIRMAN: I think the explanation would be this: that he takes the weight and other dimensions which are given to him by the doctor.

Hon. Mrs. HODGES: My point is, could not the weight be taken nearer the time of hanging if there are these occurrences where the weight is so different as to cause a mishap?

Mr. BERTRAND: The mishaps did not occur when Mr. Branchaud was officiating. They occurred when somebody else was officiating.

The PRESIDING CHAIRMAN: Who else would be officiating?

Mr. BERTRAND: It was his late predecessor.

Mrs. SHIPLEY: Following the springing of the trap, does the executioner enter the lower chamber alone?

Mr. BERTRAND: Mr. Chairman, would you allow me to distribute among the members of the committee some pictures.

The PRESIDING CHAIRMAN: I am trying to keep away from pictures if I can help it. The question is simple. Does the executioner enter the lower chamber alone or are there others there? The question has already been answered that the coroner is there and the chaplain goes down there and the jury.

By Mrs. Shipley:

(Questions answered by witness through Mr. Langlois, French reporter).

Q. It was not clear to me by the statement given. Does he enter the lower chamber alone?

Mr. WINCH: At first.

By Mrs. Shipley:

Q. The question is clear. Following the springing of the trap, does the executioner enter the lower chamber alone?—A. It depends. The lower chamber is always vacant. The jurors are waiting below to see the body come down.

By Mr. Blair:

(Questions answered by the witness through Mr. Barrette, interpreter).

Q. Is it true that sometimes the lower chamber is quite open to the courtyard and on other occasions the lower chamber is a closed room?—A. The trap is there. The trap is sprung. The body comes down here and the jurors are here (indicating).

The PRESIDING CHAIRMAN: Where?

A. It depends whether the trap is inside or outside. If outside there is always a cordon of policemen and they see the body come down. If the trap is outside and only built with little joists everybody sees it.

By Mrs. Shipley:

(Answers through Mr. Barrette, interpreter).

Q. Let us clarify the question this way: is there ever an enclosed room into which the officials cannot see that is called the lower chamber and if there is does the executioner enter the room first and alone?—A. No. Once the body is down I come down with the warden, the coroner and the doctor. They wait a minute while I remove the straps and open the shirt.

Q. But are there others there?—A. Yes. If the chaplain ends his prayers down there he is there. The doctor, the coroner, the warden and jail officials are there.

The PRESIDING CHAIRMAN: And the jury?

A. Yes. There are places where the body falls down and then the doctor does not come before half an hour.

Mrs. SHIPLEY: But there are other officials there?—A. The police are there, the guards. After half an hour the doctor comes with the coroner and pronounces death; and the jurors circle the body and I cut the rope. It all depends on the provinces.

By Mr. Lusby:

(Answers through Mr. Barrette, Interpreter)

Q. In a proper drop are the condemned's feet supposed to come into contact with the ground?—A. No. He does not touch the ground.

Q. What type of rope is used? I think he supplied the rope. Is any particular type of rope used or is it just ordinary rope?—A. $\frac{3}{4}$ inch.

Q. Is it just ordinary rope?—A. They call it a lilac rope because it, is trimmed; $\frac{3}{4}$ inch.

Q. Do you have to make any allowances for the stretching of that rope?—A. An allowance of 3 inches on the neck. If you wear collar size 16, after that you are collar size 8. The rope is placed here and when the body is hanging the knot is here.

Mr. BROWN (*Essex West*): That does not mean a thing for the record. You will have to describe where you are indicating.

The PRESIDING CHAIRMAN: First of all I thought Mr. Lusby asked a very simple question and I am not sure that the answer is in answer to the question. Let us start back with the question.

Mr. LUSBY: What I asked was if he took into consideration the stretching of the rope and made an allowance?

The PRESIDING CHAIRMAN: Is it yes or no?—A. Yes; an allowance of 3 inches.

Mr. LUSBY: In the case of a person who is very heavy, is there always some tendency of decapitation?—A. No. It depends. If I make a 7 foot fall below the trap there is a possibility; we make the fall according to age and weight.

Mr. BROWN (*Essex West*): You said in your evidence that the usual reason for death is the breaking of the neck?—A. Yes.

Mr. BROWN (*Essex West*): Then would the other reasons be only strangulation?

Mr. BERTRAND: I have already answered these questions.

The PRESIDING CHAIRMAN: It is easier to let the question go again.

Mr. BERTRAND: He told you a short time ago the death was breakage of the spinal vertebrae.

The PRESIDING CHAIRMAN: If it is not a fracture of the neck then it is strangulation. Is that correct?

Mr. BROWN (*Essex West*): Are there any other reasons for death than those two in your opinion?—A. He may have a heart attack.

By Mr. Brown (Essex West):

(Answers through the interpreter, Mr. Barrette)

Q. Has he ever seen a man die with a heart attack at a hanging?—A. Yes. I did hang one who was already dead.

Q. Had the doctor declared him to be dead?—A. The doctor did not know it. Only myself.

Q. How did you know?—A. He was on the trap. I had to raise his head three times and the guards had to come and hold him and I knew he was dead.

Q. Your work has always been quite satisfactory? You never had any trouble or difficulties or any mishaps?—A. No.

Q. But you know of cases you said where there has had to be a re-hanging; in other words, a hanging for the second time?—A. I was told about that.

Mr. VALOIS: That is only hearsay.

By Mr. Brown (Essex West):

Q. You only know about it hearing from someone else?—A. Yes.

Q. How long ago was that?—A. 1920 at South Sydney, Nova Scotia.

Q. Do you know of any other mishaps?—A. Yes. Another place where there was a double execution there was a long rope and a short rope and they were mixed; with the result that after the execution one was kneeling down on the ground and the other one was hanging up in the air. The ropes had been mixed up.

Q. Could you tell us where that was?—A. Winnipeg; they told me there.

The PRESIDING CHAIRMAN: It is hearsay again.

Mr. BROWN (*Essex West*): It is all hearsay, but I submit we are not a court of law but are here as laymen. It may be we will want to question

other people in connection with any of these matters and so in our fact finding search I think we are entitled to take hearsay evidence and then if we so desire we will pursue it. If we decide it is not advisable we will not pursue it.

The PRESIDING CHAIRMAN: I am not objecting to your questions. I am just pointing out that it is hearsay.

Mr. BROWN (*Essex West*): I quite realize it is hearsay.

Mr. THATCHER: But pretty good hearsay.

By Mr. Brown (Essex West):

Q. Are those the only cases you know of?—A. For me, yes.

Q. What do you mean, for you?—A. What happened before I do not know, but I am mentioning what I was told in different jails I visited.

Mr. BROWN (*Essex West*): I think that is all.

By Mr. Thatcher:

Q. I would like the hangman to say if he ever in his 200 hangings had to pull down on a man. I think he said he did not have to, but I would like to have him clarify it?—A. Never!

Q. I have one other question. The witness' manager stated that there were certain pictures available. I do not want to embarrass the committee in any way, but if there are any pictures which he thinks would be of value to the committee, I for one would like to have them, especially one of this lower chamber.

The PRESIDING CHAIRMAN: Does the committee wish to have photographs filed?

Mr. BROWN (*Essex West*): I think it would be very valuable to have photographs, but the difficulty is that they cannot be reproduced in the minutes.

Mr. THATCHER: They may be of some value to us.

The PRESIDING CHAIRMAN: Is the committee in favour of having the pictures filed? If so, we will have them filed.

Mr. BERTRAND: It is only a picture of a scaffold which was published in the *Standard* of 1943.

The Hon. Mrs. HODGES: I thought it was some gruesome picture that was involved.

A. No, madam.

The PRESIDING CHAIRMAN: It will be filed as part of the record, and we will return it to you.

One question occurred to me: when there is an execution in an English-speaking province, is there some person who translates for this executioner, if he is doing the job?

A. No!

The PRESIDING CHAIRMAN: Does he understand English well enough?

Mr. BERTRAND: Yes.

Mr. FAIREY: Does he have to speak to the prisoner at all?

A. No.

The PRESIDING CHAIRMAN: I was not talking about that.

The WITNESS: I have no business with the prisoner.

By Mr. Winch:

Q. If the executioner only understands a little English, how does he carry on when he goes to a district where he has to supervise the building of the scaffold? Can he do that without having an interpreter?—A. I do not speak college English, but I speak street English, and my plan is there.

Mr. CAMERON (*High Park*): I would like to have it cleared up definitely just what is meant by "base of the neck"? What portion of the neck does he mean by "base of the neck"?

Mrs. SHIPLEY: Is it where the spine joins on the skull, or is it at the shoulders?

Mr. BERTRAND: He meant the spinal vertebrae entirely when I did the translation.

The PRESIDING CHAIRMAN: Now, Mr. Blair.

By Mr. Blair:

Q. This question is by way of summary in order to have the record clear. I am particularly interested in the length of time which elapses between the entry of the public executioner into the cell of the condemned and the springing of the trap. This information is given in the statement which has been read, but I think it would be well to summarize it, and I wondered if in answering this question you could indicate the average time, the longest time and the shortest time in, first, the time which the public executioner spends in the condemned's cell.—A. That is in paragraph four.

Q. Just give the answer so that it will all be in one place.—A. I have already said that the walk varies; according to Mr. Branchaud's opinion. If the cell is near the scaffold, then the time from the cell to the scaffold including the placing of the straps in the cell, as I have said, varies from thirty-eight to forty seconds, and sometimes up to one minute. If it is elsewhere I have said three to four minutes, as it has been said before. I would not confuse Mr. Branchaud. This was prepared very thoroughly, and upon very short notice.

The PRESIDING CHAIRMAN: All Mr. Blair is trying to do is to collect certain information in a summary, or briefly. Some of it you have given before, but it is just to have it all in one place. Therefore your answers may be as brief as you feel it necessary.

By Mr. Blair:

Q. You said that it varies from forty seconds to as much as four minutes. You mean that is the total time from the time he enters the cell until the trap is sprung?—A. Yes, sir.

Q. That is the total time of the execution?—A. Yes, sir.

Q. Would you please tell us where the variance occurs? Is it because of the length of the walk from the condemned cell to the gallows? Is the main reason for the difference in the time due to the length of the walk from the condemned cell to the gallows?—A. You see, this is very difficult; in each province they have a different gallows. In Quebec it might take forty seconds to one minute. Elsewhere, if the gallows is built in a corner of the yard where no one has access, or no visibility can be seen from the outside, the prisoner has to walk to it.

The PRESIDING CHAIRMAN: There is no standardization.

The WITNESS: That is it. It varies.

Mr. VALOIS: It is only a question of distance.

By Mr. Blair:

Q. You have already given the information, but it is scattered over a group of questions and we want to collect it in one part of the evidence.—A. Yes.

Q. The actual time which the condemned spends on the gallows, I take it, must be under one minute on the average?—A. It can take ten seconds.

Q. I have one question about the gallows. Is it necessary for the condemned to walk up a set of steps to the trap?—A. Yes. If you build the gallows outside and there are twenty steps, then he has to climb them.

The PRESIDING CHAIRMAN: If the counsel has finished his questions, I think we might adjourn. I want to thank the witness and Mr. Bertrand, for the work which they have done in preparation, and in coming here and giving us the information which they have.

There will be another meeting tomorrow morning at 10:00 o'clock, so herein fail not.

Mr. BROWN (*Essex West*): We shall be meeting here for a few moments following this meeting.

The PRESIDING CHAIRMAN: Perhaps the committee might remain for a few minutes because there is something we want to discuss.

Mr. BLAIR: I think I should mention that Mr. Bertrand spent the whole of his weekend preparing his testimony, and I am indebted to him for his cooperation throughout in arranging for this presentation.

Mr. Branchaud and Mr. Bertrand retired and the Committee continued without verbatim report.

APPENDIX

MEMORANDUM FOR GUIDANCE OF THE OFFICIAL EXECUTIONER IN THE PREPARATION OF HIS EVIDENCE

The following points are intended to assist the Official Executioner in the preparation of his evidence. It is suggested that the Official Executioner prepare a statement covering the following points in as much detail as he considers necessary. He may expect to be questioned further along the lines suggested by this memorandum after he has made his statement, but it is hoped that his statement will be comprehensive enough to cover all the main points raised below:

(1) *Background*

Length of time in present occupation.

Training and apprenticeship.

Number of executions which he has officiated.

Terms of employment with the Province of Quebec, and arrangements for compensation for executions outside of the Province.

Are assistants employed.

Are any persons trained or being trained to succeed the official executioner.

(2) *Facilities*

NOTE: In dealing with the following points the executioner should indicate clearly to the Committee the extent to which the facilities for execution vary in different parts of Canada, and should be prepared to comment freely upon the nature of the facilities he has encountered.

Are gallows usually built in the institution.

If not built in, who erects the gallows.

If gallows not erected by official executioner, does he provide specifications.

Are gallows in Canada of the standard type.

Describe typical gallows.

Mention such points as the platform, hinging of platform, lever and mechanism to release platform, overhead beam, where and how rope attached, how adjustment made for different length of drop, nature of chamber underneath platform, and all other important physical features of the gallows (it will be helpful to give some typical dimensions).

Indicate the principal variations found in different types of gallows employed in Canada, commenting particularly on any sub-standard and inferior facilities.

Are gallows usually built inside the prison or in the prison yard.

What are the chief differences between gallows built inside the prison and in the prison yard.

Are gallows usually visible to:

(a) the condemned

(b) the other prisoners

(c) the general public

If gallows are specially built, is their construction visible to the condemned, other prisoners or public.

Where is the condemned cell usually situated in relation to the gallows.

Is the condemned cell usually separate from the rest of the prison.

Is the condemned cell conveniently and closely located in relation to gallows.

Indicate the best types of arrangement of the condemned cell in relation to gallows of which the official executioner is aware in Canada, and also the worst type of arrangements of which he is aware.

(3) *Preliminary*

When does the executioner arrive at the prison.

What arrangements are made for his stay.

Is equipment tested in advance and if so, how is it tested.

Does the executioner see the condemned prior to the execution.

What adjustments are made for the weight and size of the condemned.

Is any standard table employed to govern these adjustments

Will the executioner present any such table to the Committee.

Who ties the knot and how is the knot tied.

How is the rope coiled.

What other final arrangements are made to prepare the gallows for the execution.

(4) *Procedure in the Condemned Cell*

Does the executioner go to the cell prior to the execution.

Who else goes to the cell.

Are the sheriff, warden and chaplain present in cell.

What acts are performed on the condemned in the cell in particular, are the arms and hands tied and if so, by whom.

What time is taken by the procedure in this condemned cell.

How is the condemned taken to the gallows and in what order do the various parties proceed.

How long does it take on the average for the condemned to move from the cell to the gallows: indicate the longest and the shortest time for the walk, of which the official executioner is aware in different Canadian institutions.

Indicate also to what extent the procession must pass by other cells or be observed by other prisoners in different Canadian institutions.

(5) *Procedure on gallows*

What procedure is followed when the condemned reaches the scaffold.

In this connection indicate whether legs are tied and if so, how, and by whom.

Who adjusts cap over head and puts noose around neck and how is noose fitted to the neck of the prisoner.

What persons are usually present or near the gallows or in the execution chamber and where do they stand in relation to each other.

In this connection indicate particularly the positions of the executioner, the sheriff, the warden and chaplain and the physician.

Who pulls the lever.

Is a signal given prior to pulling the lever and if so, by whom.

The length of time between arrival on the gallows and the pulling of the lever.

By way of summary, the length of time for an average Canadian execution from the entry into the condemned cell to the pulling of the lever; also indicating the longest and the shortest times of which the executioner is aware.

(6) *The attitude of the condemned*

Is the condemned co-operative, or is force necessary.

Is the condemned in full possession of faculties or in an unconscious or semi-conscious state.

Is the executioner in a position to make any comment on the attitude of the condemned as he approaches the gallows.

(7) *Action after springing of trap*

How much time elapses after the trap is sprung before some person enters the lower chamber.

Who enters the lower chamber first and what action, if any, does he take.

When does the physician enter the lower chamber.

What other parties enter the lower chamber.

Does the physician or any other person stay by the body until death is pronounced.

What action is taken by the physician in the lower chamber.

When is the rope cut and who cuts the rope.

Average time for Canadian executions from the springing of the trap to the pronouncement of death, indicating the longest time and the shortest time of which the executioner is aware.

Has the executioner any opinion as to the usual cause of death.

Has the executioner any comment on the state of the body after the trap has sprung—are any twitchings observed in the limbs.

Are any signs of consciousness observed.

Is the body limp or, if not limp immediately, how long before it becomes so.

Has the executioner seen or observed any accidents in the course of an execution and if so, what accidents has he seen.

If accidents have occurred, what was the cause of such accidents.

Has the executioner ever observed an execution where decapitation occurred.

Has the executioner ever observed an execution where he has reason to believe the death was not produced instantaneously.

Has the executioner ever observed an execution where the hanging process has to be repeated.

After the body is cut down, what further function is performed by the executioner.

(8) *Multiple Executions*

Has the executioner officiated at the execution of two or more persons on the same occasion.

How many multiple executions has he observed.

What procedure is generally followed at multiple executions and in particular what transpires in the cells of the condemned men and on the scaffold.

Does the procedure vary in different parts of Canada, and if so in what respects.

In the case of multiple executions are the condemned hung simultaneously, or in succession.

Is a trained assistant present at multiple executions.

(9) *General*

At what time of day are executions generally carried out.

Is there any variation from province to province.

Does the executioner wear any special gloves or special clothing at an execution.

Has the executioner any general comments to make on the efficiency of hanging as a method of execution.

Has the executioner any views on other methods of execution.

Has the executioner any comments to make on the conduct of any officials at executions and their reactions to executions.

SUPPLEMENTARY MEMORANDUM FOR GUIDANCE OF THE OFFICIAL EXECUTIONER IN THE PREPARATION OF HIS EVIDENCE

The following points should be developed as a supplement to the items raised in the first memorandum:

(1) *Preliminaries and Facilities*

Who supplies the rope, handcuffs, ankle straps, hood and other equipment required.

Does the public executioner make allowance for the age and physical condition (particularly strength of muscles) as well as for the weight of the condemned and if so, is any standard table employed or does the public executioner rely on his experience and judgment.

In the case of double executions are the condemned ever strapped together.

Is it customary for the condemned to be supplied with sedatives prior to the execution and has the public executioner any views on this practice.

(2) *General*

Has the public executioner ever observed the condemned to faint or become unconscious or partially unconscious prior to the execution and if so, what procedure is followed to complete the execution.

What special problems, if any, arise with the execution of women and has the public executioner any views to offer on the execution of women.

Has the public executioner ever experienced difficulty with crowds gathered outside the prison prior to, during or after the execution.

Has the public executioner ever observed that the noise of crowds has been audible within the institution.

To what extent has the public executioner been bothered by crowds or the public in general prior to or after executions and in particular what problems in this regard arise when the public executioner is required to attend at smaller county towns.

Has the public executioner any views to offer on the creation of central places of execution in each Province.



